

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

AICCO, INC.,	§	
	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION H-08-2938
	§	
TRADESTAR CONSTRUCTION SERVICES,	§	
INC.,	§	
	§	
Defendants.	§	

**OPINION AND ORDER**

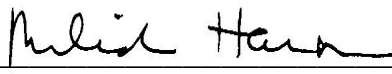
It has come to the attention of the Court that since the withdrawal of its attorney in March 2009 (#19 and 20), Defendant Tradestar Construction Services, Inc. has not been represented by counsel in this litigation.

In federal court a corporation cannot proceed *pro se*, but must be represented by counsel. *Memon v. Allied Domecq QSR*, 385 F.3d 871, 873 and n.4 (5<sup>th</sup> Cir. 2004), *citing Rowland v. California Men's Colony*, 506 U.S. 194, 202 (1993) ("the lower courts have uniformly held that 28 U.S.C. § 1654 . . . does not allow corporations, partnerships, or associations to appear in federal court otherwise than by counsel"). *See also, e.g., Lattanzio v. COMTA*, 481 F.3d 137, 139-40 (2d Cir. 2007), *citing Eagle Assoc. v. Bank of Montreal* 926 F.2d 1305, 1308 (2d Cir. 1991).

Accordingly, the Court

ORDERS Defendant to obtain counsel and file a notice of appearance within thirty days. Failure to comply may result in the Court's striking Defendant's pleadings and entering a default judgment against it.

**SIGNED** at Houston, Texas, this 19<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
MELINDA HARMON  
UNITED STATES DISTRICT JUDGE